

REMARKS

In an Office Action dated 24 June 1997, the Examiner noted that numerous clerical errors exist in the application and also rejected claims 1-5, 18-22 under 35 U.S.C. §102(a) and claims 6-11, 23-28 under 35 U.S.C. §103. Applicant has amended the claims to traverse the Examiner's rejections thereof.

The Examiner rejected claims 1-5, 18-22 under 35 U.S.C. §102(a) and claims 6-11, 23-28 under 35 U.S.C. §103 as being unpatentable over U.S. Patent No. 5,410,344 issued to Graves (Graves patent), noting with respect to the independent claims that:

"In the same art of information retrieval, Graves et al. teach a method corresponding [sic] apparatus having means for providing a user with access to selected ones of a plurality of target objects (audiovisual programs) and sets of target object characteristics (program's attributes) that are accessible via an electronic storage media 12, where users are connected via user terminals 22 and data communication connections 16 to a target server system 14 which includes the electronic storage media (figure 1), the method comprising the steps of:

automatically generating target profiles (program's content code) for target objects and sets of target object characteristics stored in the electronic storage media 12, each of the target profile [sic] being generated from the contents of an associated one of the target objects and sets of target object characteristics (col. 4, lines 6-21),

automatically generating at least one user target profile interest summary ("personal preference file 32a", col. 4, lines 32-52) for a user at a terminal, each of the user target profile interest summary [sic] being generated from the target objects and sets of target object characteristics accessed by the user,

enabling access to the target objects and sets of target object characteristics stored on the storage media by the user via the target profiles (col. 4, lines 49-52)."

Applicant appreciates the Examiner's germane comments and has amended claims 1-34 to distinguish Applicant's invention from the cited Graves patent. In particular, the Graves patent discloses a unidirectional communication connection from the program source at the cable television headend to the set-top box located on the subscriber's television set at the distal end of the unidirectional communication connection. The target profiles used in this system comprise data, manually entered by workers into the content coder, indicative of program related information that can be used to distinguish among the collection of programs that are available to the subscriber. This target profile data is downloaded to the set-top box

for all programs and a processor in the set-top box rank orders the list of programs by the correlation between the programs' target profiles and the subscriber's manually entered program preference data.

While the Graves' apparatus works for the environment where there is a limited number of programs broadcast to every user on a limited number of predefined channels, such a "download all target profile data to the set-top box" architecture is inoperable in the paradigm of the Internet with its vast number of sources and overwhelming number and diversity of target objects (publications). The Graves' headend system does not distinguish among subscribers and has no capability to receive data relating to the subscribers' interests. The set-top box is the repository of the subscriber-specific data and this data cannot be transmitted to the headend. Furthermore, the subscriber manually inputs data that defines the subscriber's interests, there is no automatic generation of a user target profile interest summary.

In contrast, Applicant's system comprises a bidirectional communication system wherein the subscriber can communicate with the server that functions as the repository and/or gateway for the target objects. The subscriber's "user target profile interest summary" is transmitted to the server, where it is used to filter the vast number of target objects to identify a limited number of target objects that are of potential interest to the subscriber. As the subscriber accesses target objects, Applicant's system automatically and dynamically updates the "user target profile interest summary" to provide data indicative of the current interests of the subscriber. Similarly, as target objects are added to the server, target profiles are automatically generated, based upon the content of the target object, rather than the subjective opinions of human catalogers. The automatic generation of target profiles is necessitated by the sheer numbers of target objects that are continually added to the pool of available target objects.

Thus, the Graves' system is inoperable in the environments proposed for Applicant's system for the reasons noted above. The basic architecture of these two systems differ due to the strikingly different needs of the subscribers and the different constraints imposed upon the systems by the type of target objects with which they deal. In order to reflect these differences in the claims presently in prosecution, Applicant has amended claims 1-34 to recite

the bidirectional nature of the communication connections, the automated nature of the target profile generation, and the automated nature of the user target profile interest summary generation based upon the subscriber's target object access patterns of the subscriber. Applicant believes that these amendments to claims 1-34 have made claims 1-34 allowable under 35 U.S.C. §102(a) and §103 over the cited references. Furthermore, Applicant has noted the large number of clerical errors in the specification and shall amend these in a separate response, due to the present point in time of the present prosecution being at the three month extension of time. Applicant solicits the Examiner's forbearance in this regard in the interest of prosecution efficiency.

If the Examiner believes that the prosecution of this application can be expedited by a telephone interview, the undersigned is available at the Examiner's convenience.

Respectfully submitted,

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